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12 *Ltd.), Panasonic Corporation of North America, and MT Picture Display Co., Ltd.*

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15 **IN THE UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**
SAN FRANCISCO DIVISION

17 **In re: CATHODE RAY TUBE (CRT)**
18 **ANTITRUST LITIGATION**

Case No. 07-5944 SC

19 This Document Relates to:

MDL No. 1917

20 ALL INDIRECT-PURCHASER ACTIONS

21 *Electrograph Sys., Inc., et al. v. Hitachi, Ltd., et*
al., No. 11-cv-01656;

22 *Electrograph Sys., Inc., et al. v. Technicolor SA,*
et al., No. 13-cv-05724;

23 *Siegel v. Hitachi, Ltd., et al., No. 11-cv-05502;*

24 *Siegel v. Technicolor SA, et al., No. 13-cv-*
25 *05261;*

26 *Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al.,*
No. 11-cv-05513;

27 *Best Buy Co., Inc., et al. v. Technicolor SA, et*
28 *al., No. 13-cv-05264;*

DECLARATION OF JENNIFER M.
STEWART IN SUPPORT OF
DEFENDANTS' JOINT MOTION FOR
SUMMARY JUDGMENT BASED UPON
PLAINTIFFS' FAILURE TO
DISTINGUISH BETWEEN ACTIONABLE
AND NON-ACTIONABLE DAMAGES
UNDER THE FTAIA

1 *Target Corp. v. Chunghwa Picture Tubes, Ltd.,*
 2 *et al.*, No. 11-cv-05514;

3 *Target Corp. v. Technicolor SA, et al.*, No. 13-
 4 cv-05686;

5 *Sears, Roebuck & Co., et al. v. Chunghwa*
 6 *Picture Tubes, Ltd., et al.*, No. 11-cv-05514;

7 *Sears, Roebuck & Co., et al. v. Technicolor SA,*
 8 *et al.*, No. 13-cv-05262;

9 *Interbond Corp. of Am. v. Hitachi, Ltd., et al.*,
 10 No. 11-cv-06275;

11 *Interbond Corp. of Am. v. Technicolor SA, et al.*,
 12 No. 13-cv-05727;

13 *Office Depot, Inc. v. Hitachi, Ltd., et al.*, No. 11-
 14 cv-06276;

15 *Office Depot, Inc. v. Technicolor SA, et al.*, No.
 16 13-cv-05726;

17 *CompuCom Systems, Inc. v. Hitachi, Ltd., et al.*,
 18 No. 11-cv-06396;

19 *Costco Wholesale Corp. v. Hitachi, Ltd., et al.*,
 20 No. 11-cv-06397;

21 *Costco Wholesale Corp. v. Technicolor SA, et*
 22 *al.*, No. 13-cv-05723;

23 *P.C. Richard & Son Long Island Corp., et al. v.*
 24 *Hitachi, Ltd., et al.*, No. 12-cv-02648;

25 *P.C. Richard & Son Long Island Corp., et al. v.*
 26 *Technicolor SA, et al.*, No. 13-cv-05725;

27 *Schultze Agency Servs., LLC v. Hitachi, Ltd., et*
 28 *al.*, No. 12-cv-02649;

Schultze Agency Servs., LLC v. Technicolor SA,
et al., No. 13-cv-05668;

Tech Data Corp., et al. v. Hitachi, Ltd., et al.,
 No. 13-cv-00157;

Viewsonic Corp. v. Chunghwa Picture Tubes,
Ltd., et al., No. 14-cv-02510.

1 I, Jennifer M. Stewart, declare as follows:

2 1. I am an attorney at law and an associate with the firm of Winston & Strawn LLP,
3 attorneys of record for Defendants Panasonic Corporation (f/k/a Matsushita Electric Industrial Co.,
4 Ltd.), Panasonic Corporation of North America, and MT Picture Display Co., Ltd. (collectively,
5 “Panasonic”) in the above-captioned action currently pending in the U.S. District Court for the
6 Northern District of California. I am a member of the bar of the State of New York and I am
7 admitted to practice before this Court *pro hac vice*. I make this declaration in support of Defendants’
8 Joint Motion for Summary Judgment Based Upon Plaintiffs’ Failure to Distinguish Between
9 Actionable and Non-Actionable Damages Under the FTAIA. I have personal knowledge of the facts
10 herein, and I could and would competently testify thereto if called as a witness.

11 2. Attached hereto as Exhibit 1 are true and correct copies of excerpts from the transcript
12 of the October 31, 2014 deposition of Janet S. Netz, the indirect-purchaser plaintiffs’ expert witness.

13 3. Attached hereto as Exhibit 2 are true and correct copies of excerpts from the April 15,
14 2014 Expert Report of Janet S. Netz, the indirect-purchaser plaintiffs’ expert witness.

15 4. Attached hereto as Exhibit 3 are true and correct copies of excerpts from the April 15,
16 2014 Expert Report of James T. McClave, the DAPs’ expert witness.

17 5. Attached hereto as Exhibit 4 are true and correct copies of excerpts from the April 15,
18 2014 Expert Report of Alan S. Frankel regarding the cases captioned *Best Buy Co., Inc., et al. v.*
19 *Hitachi, Ltd., et al.*, No. 11-cv-05513, and *Best Buy Co., Inc., et al. v. Technicolor SA, et al.*, No. 13-
20 cv-05264.

21 6. Attached hereto as Exhibit 5 are true and correct copies of excerpts from the transcript
22 of the June 27, 2014 deposition of Janet S. Netz, the indirect-purchaser plaintiffs’ expert witness.

23 7. Attached hereto as Exhibit 6 are true and correct copies of excerpts from the transcript
24 of the July 10, 2014 deposition of Alan S. Frankel.

25 8. Attached hereto as Exhibit 7 are true and correct copies of excerpts from the transcript
26 of the June 25, 2014 deposition of James T. McClave, the DAPs’ expert witness.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: November 7, 2014

/s/ Jennifer M. Stewart
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